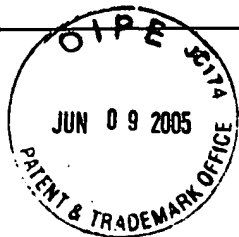


ARNOLD & PORTER LLP

Thomas E. Holsten
Thomas_Holsten@aporter.com

202.942.5085
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206



June 9, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Art Unit: 1631
Examiner: L.A. Clow
Conf. No.: 7785

Re: U.S. Patent Application No. 09/922,293 filed August 6, 2001
Inventors: Timothy W. CONNER *et al.*
Title: Nucleic Acid Molecules and Other Molecules Associated
with Transcription in Plants
Atty. Dkt: 16517.254

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$500.00 for filing this Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.254. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.254. A duplicate copy of this letter is attached.

06/10/2005 SZENDIE1 00000029 502387 09922293

01 FC:1401 500.00 DA

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re patent application of:

Timothy W. CONNER *et al.*

Appln. No.: 09/922,293

Filed: August 6, 2001

For: Nucleic Acid Molecules and Other Molecules Associated with Transcription in Plants

Confirmation No.: 7785

Art Unit: 1631

Examiner: Lori A. Clow

Atty. Docket: 16517.254

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop AF

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed March 9, 2005, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

Respectfully submitted,

Date: June 9, 2005

Of Counsel:

Lawrence M. Lavin, Jr. (Reg. No. 30,768)
Thomas E. Kelley (Reg. No. 29,938)

Thomas E. Holsten (Reg. No. 46,098)
David R. Marsh (Reg. No. 41,408)

Arnold & Porter LLP
Attn: IP Docketing
555 Twelfth Street, N.W.
Washington, DC 20004
Tel: 202-942-5000
Fax: 202-942-5999